

Message Text

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PAGE 01 STATE 017174
ORIGIN STR-06

INFO OCT-01 EA-10 IO-13 ISO-00 COME-00 TRSE-00 AGRE-00
CEA-01 CIAE-00 DODE-00 EB-08 FRB-03 H-01 INR-07
INT-05 L-03 LAB-04 NSAE-00 PA-01 CTME-00 AID-05
SS-15 ITC-01 PRS-01 SP-02 SOE-02 OMB-01 DOE-11
NSCE-00 SSO-00 USIE-00 INRE-00 STRE-00 /101 R

DRAFTED BY STR:MPOMERANZ:ATN
APPROVED BY STR:(TPSC) WKELLY, RHEIMLICH
STATE:JSPIRO
COM: WCAVITT/BMILLER/JDAVIS
TREAS:WBARREDA
AGRI:RSCHROETER/JBENSON
STR:TSTEWART;SCOFFIELD;PMURPHY

-----093631 210205Z /64

O 210122Z JAN 78
FM SECSTATE WASHDC
TO AMEMBASSY TOKYO IMMEDIATE
INFO USMISSION GENEVA IMMEDIATE

C O N F I D E N T I A L STATE 017174

E.O. 11652: GDS

TAGS: ETRD, GATT, JA

SUBJECT: THROWN SILK

REF: TOKYO 1042

1. REFTTEL RECEIVED WITH SOME GARBLES. SINCE SERVICE OF
MESSAGE PROBABLY NOT POSSIBLE BEFORE MONDAY WE ARE PROVID-
ING FOLLOWING ON BASIS OF OUR BEST READING OF INCOMING.

2. THE GATT PRECEDENT CITED BY GOJ HAS SIMILAR ELEMENTS TO
THROWN SILK CASE. IN FORMER, THE SOLUTION HAD DIRECT IMPACT
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ON CARIBBEAN COUNTRIES. IN PRESENT CASE SWISS AND EC HAVE
IMPORTANT INTEREST. RECOGNIZING THIS, WE HAVE RESISTED

USING PRECEDENT BECAUSE IT CARRIES WITH IT (IN SAME PARA 5
OF L/3891) "DETAILS OF THE SETTLEMENT WERE SUBSEQUENTLY
COMMUNICATED TO THE PANEL IN SEPARATE LETTERS FROM THE
UNITED STATES AND THE UNITED KINGDOM." WE HAVE UNDERSTOOD

THE SENSITIVITIES OF THE GOJ TO BE SUCH THAT COMMUNICATION OF DETAILS OF SETTLEMENT WAS THE LAST THING THAT THEY WOULD HAVE WANTED IN THIS CASE.

3. WITH THE GOJ DRAWING ON PRECEDENT, YOU MAY WISH TO POINT OUT TO MITI THAT IMMEDIATELY AFTER THE CITED TEXT OF THE U.K. DECISION (IN THE 20TH SUPPLEMENT OF THE BISD, AT PAGE 237) IS A DECISION IN THE CASE OF U.K. IMPORT RESTRICTIONS ON COTTON TEXTILES (L/3812). IN THAT CASE, EVEN THOUGH THE DETAILS OF CONCILIATION WERE AVAILABLE TO THE PANEL, THE PANEL CONCLUDED: "IN VIEW OF THE FACT THAT A SOLUTION HAS BEEN REACHED BETWEEN THE PARTIES, THE PANEL CONSIDERS THAT IT IS UNNECESSARY TO UNDERTAKE FURTHER INVESTIGATION OF THIS MATTER." THIS WOULD IN OUR VIEW, BE AN EXCELLENT FORMULA FOR RESOLVING THIS ISSUE.

4. NOTWITHSTANDING THE ABOVE, IF WE ARE AGREED THAT PARA. 2(B) OF SAKAI DRAFT IS DELETED, AND THERE IS NO OTHER WAY OF REACHING A SETTLEMENT, WE WOULD BE PREPARED TO ACCEPT EMBASSY'S COMPROMISE, READING: "2(D) THE TWO GOVERNMENTS WILL REQUEST THE CHAIRMAN OF THE PANEL TO CONCLUDE THIS CASE UNDER GATT ARTICLE XXIII:2 AND SUBMIT A REPORT ON THIS MATTER TO THE COUNCIL OF THE GATT WHICH WILL

CONTAIN THE FACT THAT A SATISFACTORY ADJUSTMENT WAS MADE."
CHRISTOPHER
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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SILK
Control Number: n/a
Copy: SINGLE
Draft Date: 21 jan 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE017174
Document Source: CORE
Document Unique ID: 00
Drafter: MPOMERANZ:ATN
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780031-0894
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780136/aaaaberd.tel
Line Count: 94
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 120b25e1-c288-dd11-92da-001cc4696bcc
Office: ORIGIN STR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 TOKYO 1042
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 28 jul 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3734475
Secure: OPEN
Status: NATIVE
Subject: THROWN SILK
TAGS: ETRD, JA, GATT
To: TOKYO
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/120b25e1-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
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